

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

North Dakota,	)	
	)	
Plaintiff,	)	<b>ORDER FOR SUBMISSION</b>
	)	<b>OF DOCUMENTS FOR IN</b>
vs.	)	<b>CAMERA REVIEW</b>
	)	
United States of America,	)	Case No. 1:12-cv-125
	)	(Lead Case)
Defendant.	)	
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	)	
Billings County, et. al.,	)	
	)	
Plaintiffs,	)	
	)	Case No. 1:12-cv-102
vs.	)	(Consolidated Case)
	)	
United States of America,	)	
	)	
Defendant.	)	

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On August 6, 2014, the court held a telephonic status conference to discuss the mechanics of resolving the pending motion to compel (Docket No. 73). William Christopher Harvey appeared on behalf of plaintiff North Dakota. Constance E. Brooks, Danielle Hagen, and Larry L. Boschee appeared on behalf of the plaintiff counties. Sara Porsia and Stephen G. Bartell appeared on behalf of defendant United States of America.

As stated during the telephone conference, the court will require defendant to submit the documents at issue to the court for in camera review before making a final ruling on the motion to compel or hearing further argument on the substance of the motion. Accordingly, it is **ORDERED** that defendant shall submit both the redacted and unredacted versions of the Office of General

Counsel opinions and title opinions identified in plaintiffs' motion to compel by no later than August 20, 2014. Defendant may also submit any additional documents it believes provide necessary context for the documents at issue. The documents may be emailed to chambers at [ndd J-Miller@ndd.uscourts.gov](mailto:ndd.J-Miller@ndd.uscourts.gov) or saved on a CD and delivered to chambers or the Clerk's Office.

Any party requesting further argument on the motion to compel, shall request a hearing by contacting chambers by telephone or email or by filing a motion for hearing. The hearing will likely be set for the week of September 2-5, 2014.

Under the current scheduling order, defendant's amended motion to dismiss is due by September 22, 2014; plaintiffs' response is due by November 24, 2014; and defendant's reply is due by January 5, 2015. The court will not alter that schedule at this time. However, if additional briefing is necessary following the court's ruling on the motion to compel, the court will establish a supplemental briefing schedule.

**IT IS SO ORDERED.**

Dated this 6th day of August, 2014.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr., Magistrate Judge  
United States District Court